

In addition, Applicants continue to traverse the requirement for restriction with respect to Group LXX, claim 108. That claim is dependent on claim 113 and relates to libraries of compounds of the elected invention. The requirement for restriction concerning this Group should be withdrawn and claim 108 should be examined together with the elected compound claims.

Applicants also note that claims of Groups LXXI, LVII and LVIII, formerly claims 91-94, have been recast as dependent on claim 113 and have been included in the elected invention. The requirement for restriction between these groups and the previously elected Group LXXI should now be withdrawn

Claims 109-112 still have not been entered in this Application. In the telephone interview it was agreed that these claims would be entered and then restricted from the elected invention, as they relate to compounds having a fused bicyclic core, which is different than the monocyclic core of the compounds of the elected invention.

The claims to be examined herein therefore are claims 113, 119-127 and 134-144, and claim 108 if Applicants' traverse is accepted. All other claims currently pending in this Application are directed to nonelected inventions and will be canceled at an appropriate time.

The previous communication took the position that the claims to the elected invention did not define a common core structure. The reason given was that, in one embodiment, Z' could be part of a cyclic amino side chain. The examiner thus considered that such compounds might define a bicyclic core structure.

However, as pointed out at the interview and as agreed by the examiner, all of the elected claims define compounds that have a common monocyclic core structure, namely the 7-atom core cyclic structure shown in claim 113. Those compounds in which Z' is part of a cyclic amino side chain simply have a cyclic substituent on that core structure, in addition to the many possible acyclic substituents. This is no different from, for example, a phenyl ring with numerous substituents including a cycloalkyl group such as cyclopropyl instead of, or in addition to, an acyclic

alkyl group such as propyl. In both cases the core single-cyclic group is not changed by the inclusion of a cyclic substituent.

As discussed at the interview, none of the elected claims define any "Q" group.

Applicants submit therefore on the basis of this response and the previous amendment, that the claims to the elected invention are ready for examination.

Provisional election of species

Applicants provisionally elect, for the sole purpose of enabling the examiner to commence examination of the elected invention, compound 74 of the current invention, namely the compound according to claim 113 in which:

R is -CH₂CH(CH₃)₂

R¹ is hydrogen

R² is benzyl (-CH₂C₆H₅)

Z and Z' are hydrogen

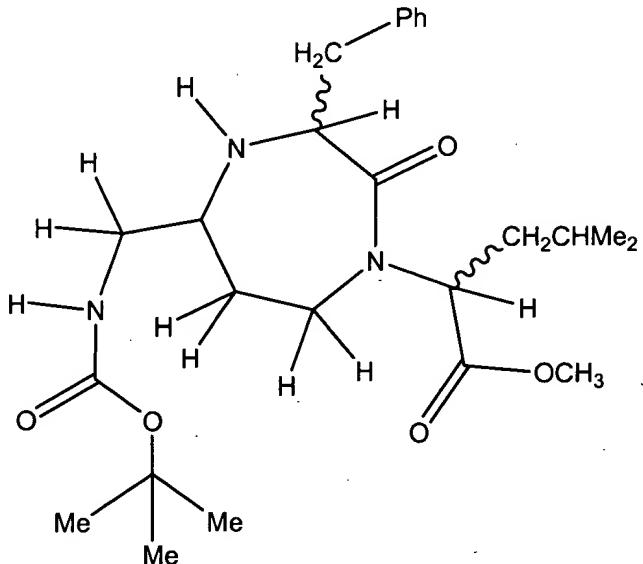
M', M'', M³ and M⁴ are hydrogen

M⁵ and M⁶ taken together with the carbon atom to which they are attached form a carbonyl group

R^c is -COOCH₃, and

Pg^N is -COOC(CH₃)₃.

This compound can be represented as



Claims reading on this compound are claims 113, 119, 120, 121, 124, 126, 134, 135, 137, 138 and 140.

CONCLUSION

If the Examiner believes a telephone conference would expedite prosecution of this application, he is encouraged to telephone the undersigned.

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